

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTHONY WILLIAM LOPEZ,

Defendant.

Case No. 2:13-cr-00138-LDG-CWH

ORDER

This matter is before the Court on the Federal Bureau of Prisons' ("BOP") letter dated November 21, 2014 (doc. # 57), updating this Court on Defendant's psychiatric evaluation and requesting that Defendant's commitment period for evaluation be extended.

Upon receipt of the BOP's letter, this Court set a status conference on December 18, 2014. At the hearing, this Court determined that the BOP's request for an extension of Defendant's evaluation period was warranted in the instant case. At the hearing, moreover, counsel for Defendant and for the government did not object to the BOP's request.

Based on the foregoing and good cause appearing therefore,

IT IS HEREBY ORDERED that Defendant shall be committed to the BOP facility for treatment for restoration to competency in accordance with 18 U.S.C. § 4241(d).


IT IS FURTHER ORDERED that the extension sought is excludable under the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(A), 18 U.S.C. § 3161(h)(4) and 18 U.S.C. § 3161(h)(7)(A), when considering the facts in the instant case under 18 U.S.C. § 3161(h)(7)(B)(i) and 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS FURTHER ORDERED that Defendant shall be committed to the custody of the BOP for a reasonable time, not to exceed 120 days, as is necessary to determine whether there is a

1 substantial probability that, in the foreseeable future, Defendant will attain the capacity to permit
2 proceedings to go forward in the instant case.

3 **IT IS FURTHER ORDERED** that the Warden or Director of the BOP's designated facility
4 prepare, or cause to be prepared, a psychiatric or psychological report to the Clerk of the U.S. District
5 Court, District of Nevada, to defense counsel William C. Carrico and Elisa Vasquez of the Federal
6 Public Defender, and to counsel for the government, Christina D. Silva of the U.S. Attorney's Office.

7 DATED: December 22, 2014

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11 **C.W. Hoffman, Jr.**
12 **United States Magistrate Judge**
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